IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE HON'BLE MR JUSTICE M.H.S. ANSARI

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 441 of 1996

Between:

Rameshwarlal Gehlot.,
H.No. 14-7-27/1, Begumbazar,
Hyderabad.

..... PETITIONER

AND

1 The Tax Recovery Officer No.III, Income Tax Department,
Posnet Bhavan,Tilak Road, Hyderabad.
2 The Asst. Commissioner of Income Tax, Inv –3 (1),
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction restraining the 1st respondent form taking steps for recovery of the disputed arrears of Rs. 12,14,606/- for the assessment year 1984-85, 1988-89 pending disposal of the appeals filed by the petitioner before the Income Tax Appellate Tribunal and also direct the 2nd Respondent to dispose of the petitioner's representation dt.12.4.94, 28/3/1995 and 22/9/95 for deletion of interest imposed under Section139(8) & Section 217 of the Act.

Counsel for the Petitioner:MR.P.SRINIVAS REDDY

Counsel for the Respondents: MR.J.V.PRASAD

The Court made the following :

ORAL ORDER: (per Hon'ble Mr.Justice M.H.S.Ansari)

It is stated by the learned counsel for the writ petitioner that the writ petition is rendered infructuous. Accordingly it is dismissed as infructuous. No order as to costs.

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M.H.S.ANSARI, J

7-12-2004

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T.CH.SURYA RAO, J

Tvr

To

1 The Tax Recovery Officer No.III, Income Tax Department,
Posnet Bhavan,Tilak Road, Hyderabad.
2 The Asst. Commissioner of Income Tax, Inv –3 (1),
Hyderabad.

3 2 CD copies.